

of Michigan. It took six years, however, to get an FEPC measure through the legislature.

### Old Pledges and a New Plea

The failure of the President to give the new leadership required, particularly since the Supreme Court decision of 1954, is all the more perplexing in view of his own stressing of the importance of Presidential leadership in civil rights.

This was a basic theme in the 1952 Republican campaign. "I and this crusade," he said in Los Angeles on October 9, 1952, "are for wiping out every inequality of opportunity. . . . We must have an administration in Washington whose example, continuously exerted influence, constant study, and publicizing of all the facts, will put and keep this problem on the conscience of our people."

"There is discrimination," he said in Harlem on October 25, 1952, and "This crusade is pledged to use every single item of leadership and influence it has to eliminate it. It intends to enforce the full Constitution, not part of it."

"Much of the answer," President Eisenhower told Congress on February 2, 1953, "lies in the power of fact, fully publicized; of persuasion, honestly pressed; and of conscience, justly aroused. . . . by the leadership of the Office of the President . . . we expect to make true and rapid progress in civil rights and equality of employment opportunity."

Likewise on January 9, 1959, he told Congress:

"One of the fundamental concepts of our constitutional system is that it guarantees to every individual, regardless of race, religion, or national origin, the equal protection of the laws. Those of us who are privileged to hold public office have a solemn obligation to make meaningful this inspiring objective. We can fulfill that obligation by our leadership in teaching, persuading, demonstrating, and in enforcing the law."

THE PRESIDENT frequently repeats that the problem of civil rights must be solved in the minds and hearts of men, that mere laws will not suffice, and that time is essential to work this out.

To this the President's own Commission on Civil Rights, on which there is not a single liberal Northern Democrat, gives a pointed reply: "It is not time alone that helps but the constructive use of time." To eliminate discrimination, the commission concluded, "some dramatic and creative intervention by the leaders of our national life is necessary."

The President's action in sending troops to Little Rock was certainly dramatic intervention but it was not creative. Aside from the one brief, half-hearted, ill-fated attempt to negotiate with Governor Faubus, during a golfing holiday at Newport, there has been little Executive action to fill the gap between platitudes and bayonets.

Would we not have been further along in the process of desegregation, would not the necessary human understanding and compassion have been better evoked, had the President seen fit to go himself into one of the troubled situations and accompany a Negro child into school? Could he not have found ways to reach and appeal to the students, the teachers, the parents, and the surrounding community?

No man is able to reach the minds and hearts of the American people like the President of the United States. What he says in words can be said louder in deeds—by Executive orders, Cabinet directions, and direct and personal leadership.

IF I WERE MAKING this plea to the President personally, I think I would phrase it this way:

Mr. President, just as peace is the overriding issue everywhere in the world, so also the protection of civil rights is the number one domestic challenge to our pretensions of democracy.

Millions of Americans would echo in their hearts the cheers which greeted you during your recent trip to foreign lands if you became, in the words of the Civil Rights Commission, "inventive, creative and educational" in dealing with this last worst blight in our land.

Mr. President, almost one hundred years ago another President took Executive action in civil rights and his deed inspired the world.

You need not wait for Congress to define and broaden your authority. You can act now if you will.

## The Great Guessing Game

THOMAS R. PHILLIPS, Brigadier General, U.S.A. (Ret.)

IN AN ATTEMPT to restrain the cries of the spenders for more money and to calm the fears of those who are alarmed about the "missile gap," Secretary of Defense Thomas S. Gates, Jr., recently explained that a "very significant" change had been made in estimating future Soviet strength. "Heretofore," he told the House Defense Appropriations subcommittee, "we have been giving you intelligence figures that have dealt with the theoretical Soviet capability. This is the first time that we have had an intelligence estimate that says: 'This is what the Soviet Union probably will do.'"

It has been estimated, most notably by Gates's predecessor Neil H. McElroy, that the Russians can produce three times as many missiles as we in the near future, but Gates went on to say that although "The

Soviets may enjoy at times a moderate numerical superiority during the next three years . . . this new intelligence estimate has narrowed the differences." The McElroy estimate was on a basis of 600 Soviet ICBMs in 1962 to 200 of ours. Gates's estimate for 1961 was also a three-to-one ratio, but the actual numbers were reduced to 150 Soviet missiles to our 50 (which probably included 16 Polaris missiles). Gates admits that this "moderate numerical superiority" will be greater in 1962, but it still is not as large in the new estimate as in the one used by McElroy.

At a press conference held eight days after his appearance before the Congressional committee, in response to critical questioning Gates admitted that "this is a different set of rules, so to speak," and he

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cluded that "While the fundamental legal principle is clear, Federal housing policies need to be better directed toward fulfilling the Constitutional and Congressional objective of equal opportunity." Therefore, it unanimously recommended that "the President issue an Executive Order stating the Constitutional objective of equal opportunity in housing, directing all Federal agencies to shape their policies and practices to make the maximum contribution to the achievement of this goal."

In other words, the choice should not be between abandoning civil rights in housing or losing Congressional support for the housing bill. What is needed is action by the President. This is why I utter this plea now while Congress is beginning its deliberations. Since a giant stride forward can be taken by Executive action alone, the President should not delay any further the issuance of the Executive order called for by the commission.

Ironically, President Eisenhower many times in the past has expressly committed himself to action in the housing field. In his message to Congress on January 25, 1954, for instance, he said:

"The administrative policies governing the operations of the several housing agencies must be, and they will be, materially strengthened and augmented in order to assure equal opportunity for all of our citizens to acquire, within their means, good and well-located homes. We shall take steps to insure that families of minority groups displaced by urban redevelopment operations have a fair opportunity to acquire adequate housing; we shall prevent the dislocation of such families through the misuse of slum clearance programs, and we shall encourage adequate mortgage financing for the construction of new housing for such families on good, well-located sites."

But in its recent recommendations, the President's own Civil Rights Commission has found it necessary to recommend a specific Executive order. Moreover, the commission unanimously made four additional recommendations designed to end discrimination in particular Federal housing programs, all of which should be carried out within the

Executive Branch either by Presidential direction or by the initiative of agency heads.

### Enforce the Voting Laws

Similarly, in the field of voting rights, the commission noted pointedly that "the new Federal powers provided by the Act of 1957 have not been thoroughly tested." It reported that "nearly two years after passage of the Act, the Department of Justice had brought only three actions under its new powers to seek preventive civil relief, rather than criminal conviction, against any interference with the right to vote."

The commission concluded that these legal actions of the Civil Rights Division of the Department of Justice "were disappointing in number, nature, and results." It indicated that the Attorney General should bring such civil suits under the 1957 act "in a larger number of districts where there are presently 'reasonable grounds to believe' that persons are being deprived of their right to vote."

The Justice Department's relative inactivity in the field of voting rights is particularly difficult to understand because this is another area about which President Eisenhower at times has spoken with apparent emphasis. At a press conference in Washington on January 14, 1959, for instance, the President seemed to give first priority to protecting the right to vote:

"So I would say first I would like to see the vote—this problem of voting—solved with the necessary, whatever laws may be necessary. . . . I'd like to see power more clear-cut to make certain that they can examine into the difficulties about voting, the bars to it, and to get some kind of procedures that will make this privilege stand so that it will not be violated. And if this is done it's my belief that now voters themselves, local voters, state voters, and national voters, will have a greater and finer opportunity to proceed with the, you might say the proper observance of their other rights."

IT IS TRUE, of course, that Attorney General Rogers has proposed legislation that could enable court-appointed referees to certify the qualifications of voters who have been

unable to register. This certification would apply to both state and national elections, and the Attorney General's plan in many ways goes beyond the commission's legislative recommendations for dealing with the problem of local officials who refuse to function at all or refuse to register voters without discrimination. But here again, even in the absence of the proposed new legislation, the Civil Rights Division, by the direction of the Attorney General or of the President, could and should take action right now, using fully and energetically all the powers already given by Congress. Commissioner George M. Johnson, a Negro and a Republican, suggested that the Department of Justice should proceed forthwith to conduct full investigations under the 1957 act in the sixteen Southern counties where the commission found a Negro population majority to exist but where not a single Negro was registered. If the President is too busy with foreign matters to urge the Attorney General to act, perhaps the matter could be assigned to the Vice-President to work out. The Attorney General's new proposal is a good one, but progress need not be delayed while it is debated.

In the past such Executive leadership has proved effective in other areas of civil rights. President Roosevelt's wartime Fair Employment Practices Committee, established by Executive order, diminished racial job discrimination in the war effort. Discrimination in the armed forces was largely ended as a result of President Truman's Executive order calling for equal opportunity for all American servicemen. The Presidential committees on equal opportunity and equal treatment in the fields of government contracts and government employment, started by President Truman, have also made some important contributions. Presidential initiative played a part in ending some of the most notorious forms of discrimination in the nation's capital.

In a modest way, I know at first hand the difference in time between direct Executive action and waiting for legislative action. Discrimination in the Michigan National Guard was abolished by my Executive order two years after I became governor

confirmed that the new estimate gives more emphasis to the Russians' intentions than to their capabilities.

Gates was apparently not aware that exactly one year before, on January 21, 1959, McElroy had testified before the same committee: "I think it would be very dangerous if we did not proceed on this basis [judging the opponent's capabilities rather than his intentions]. I think it should be understood that from the standpoint of the Department of Defense, we are assuming, as I think we should assume, that they will have these numbers [of missiles] in being when the national intelligence estimate says that they could have it."

**THE NEW FORMULA** Gates described is actually not new at all. By and large, our practice has always been to make an intelligence estimate that ended with a statement of the opponent's probable intentions. This did not mean that you were trying to read his mind, but rather, from what you knew about his situation and about him, judging what he was most likely to do. The estimates that dealt with the opponent's intentions came up with a single course of action aimed at counteracting them—and this was all, so it appeared, that the commander needed to worry about in making his own plans.

It is obviously much more difficult to estimate the opponent's capabilities and plan your own actions so as to thwart any one of them that might endanger your force or plans, but that was the system used, with widely recognized success, by Napoleon. It was his invariable practice of eliminating chance that led Napoleon to write: "Chance remains always a mystery to mediocre spirits and becomes a reality to superior men."

In the change in intellectual climate that took place in the United States Army during the 1930's, the Command and General Staff College led a campaign to substitute capabilities for intentions as the basis of military intelligence evaluations. Under a few brilliant officers, notably Colonel Joseph A. ("Sandy") McAndrew, all military dogma was questioned, and innumerable historical examples were found to show the disastrous results of basing plans on presumed enemy intentions. Some of these examples were illustrated as

part of the school course and compared to the Napoleonic practice of considering all reasonable enemy capabilities.

In a revision of the school texts in 1936, I was given the assignment of revising the intelligence estimating methods to eliminate the use of enemy intentions and to substitute the capabilities system. This system was used at the Command and General Staff College during the 1936-



1937 school year and then was scheduled for adoption by all Army schools.

At the Infantry School, the new system was considered too complicated. Brigadier General Walter C. Short, then commanding, stormed up to Fort Leavenworth and asserted that he would not use it at the Infantry School. Nobody could understand it, he said. He preferred the old and simpler method of determining (or guessing) the enemy's intentions. I was called in to explain the method to him, but to no avail.

### Remember Pearl Harbor?

The same General Short was the Army commander in the Hawaiian Islands in December, 1941. He deduced the Japanese intentions in the Hawaiian Islands as sabotage and collected all the aircraft into a single close grouping, so that they could easily be guarded against sabotage. As a result, on December 7, 1941, Short did not worry about an attack and did not have his radar operating, nor did he have any reconnaissance aircraft out to look for the Japanese. The massed aircraft were a perfect target for the Japanese bombers and most of them were destroyed. Admiral Husband E. Kimmel had also decided that sabotage was the enemy's intention, and the fleet was massed in Pearl Harbor for the weekend, another sitting duck. If Kimmel had been concerned about the Japanese capability of attacking Pearl Harbor, the fleet would have been dispersed over the ocean and his

submarines and aircraft would have been reconnoitering hundreds of miles from Honolulu.

But suppose you have more than an estimate to go on. Suppose that, through the use of spies or by other methods, you know the enemy's exact plans and orders. One difficulty, of course, is that he may change his mind. The commander of the German Second Army, opposing French Fifth Army at Guise, made four completely different decisions, and issued orders to carry them out, between 5:30 P.M. August 27, 1914, and 9:00 A.M. August 28.

An instance from the Second World War is also instructive. After the battle for Tunisia had been won, the Allies decided to invade Italy via Sicily. To mislead the Germans, the British planted spurious plans on the body of a fictitious Royal Marine courier and dropped the body into the water where it would be washed ashore in Spain. The Germans were tricked by this apparently valid plan into spreading their defense across Europe, even to the extent of removing warships from the Sicily area. The ruse made the invasion of Sicily relatively easy.

The opposite of this case was the capture by the British of a German courier who had been forced down in the Netherlands in a fog and who carried plans for the German invasion of France through Belgium and Holland. Hitler, knowing that this plan had been captured, changed his plans and invaded across the Meuse and through France. The British and French, certain that the invasion would come through the historic route across the northern plains, concentrated their armies to the north and were cut off from France. So much for intentions, or what the opponent probably will do. He can change his mind overnight; and no matter how solid the information you may have today, it can be a trap tomorrow.

**THESE EXAMPLES** of capabilities versus intentions as criteria in making estimates are from combat situations, but the same principles are applicable to the estimate of Soviet missile production. In hearings held last March, Senator Symington indicated that the estimate of Soviet

(Continued on page 30)

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# THE TWO SIDES OF SPACE

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As in all major problems in human affairs, there are two sides to the question of space: less space on earth to accommodate its increasing population; more space in the universe to be revealed to man's exploring mind.

During the past month television viewers saw both sides of the question fully exposed on CBS REPORTS, a new series of network documentaries broadcast in evening hours.

Early in January, more than 13 million people witnessed a vivid analysis of the nation's efforts to penetrate space, including a discussion of the issues of inter-service rivalry and the difficulties in obtaining scientists to work for the Government. *The New York Times* commented: "... 'CBS Reports' added another distinguished accomplishment to its series of journalistic undertakings."

Later in January almost 12 million Americans watched an expanded version of the notable broadcast "The Population Explosion." They saw the people of India living under conditions of poverty and hunger, and heard some of the diverse and often conflicting solutions offered by distinguished clergymen, scientists and economists. Following the initial broadcast last November the *New York Herald Tribune* commented: "... it took CBS to make the big splash that got the whole thing out in the open." And, as everyone knows, it has been a continuing subject of public interest and concern ever since.

Next Monday, February 15, between 7:30 and 8:30 pm EST, on this same series of broadcasts you can watch a fascinating on-the-scene report by Eric Sevareid, the noted CBS News correspondent, on Nigeria, symbol of a continent aflame with the fever of freedom.

On CBS REPORTS a television signal laden with information about the earth and its inhabitants, about the universe and its infinity, travels with the speed of light into the nation's homes. People by the millions look and listen. Clearly a new way for them to understand and cope with the central problems of their existence is coming into its own.

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CBS TELEVISION NETWORK



capabilities then being used was based on knowledge of factory space for the production of intercontinental missiles which, according to our production experts, enabled the Soviet Union to produce fifty missiles a month, probably on a three-shift basis.

Such a capacity could, of course, be depreciated by other estimates indicating, for example, that there was insufficient housing for a three-shift operation, or by doubts about the Russians' capacity to manufacture some intricate components, such as guidance controls, at this rate. Or, it is possible that a high-ranking defector could have given the intelligence services information indicating that it is the Soviets' *intention* to follow the same policy as the United States and to limit the production of current missiles until improvements in sight are adopted.

This would appear to be an estimate of intentions that could be depended upon, particularly if it seemed to be confirmed by other information. But defectors, as we have seen, are not to be trusted automatically. They may be "plants" to find out how our intelligence operates and to give false information. The questioning of defectors and the evaluation of their reliability ordinarily takes six months or longer. By the time the information has been incorporated into the over-all intelligence estimate, a year may have passed. Even if the defector's information of intentions was valid when he left, plans could have been changed several times in the interval.

**T**HE DIE-HARDS, however, have never been convinced, and our intelligence estimates may list "if indications justify a conclusion, the relative probability of adoption of enemy capabilities." In other words, if some estimator thinks the indications justify a conclusion, and he lists a No. 1 probability of adoption, the estimate is right back to an estimate of intentions.

Secretary Gates had only a brief briefing before he went before the Appropriations subcommittee. The complete estimate prepared by intelligence would have taken two hours to present to him. He got only fifteen minutes' worth. The complete estimate ended with a conclusion of

three or four capabilities listed in order of priority. But in the condensed fifteen-minute version the officer who was briefing Gates also condensed the conclusions and ended with only one most probable line of action. Gates has the reputation in the Pentagon of being somewhat supercilious about intelligence. Certainly he was totally unprepared for the critical question his use of the opponent's intentions brought from Congress and the press. In response to a question about intelligence at his press conference, Gates permitted himself to speak of "the intelligence business, all of which I'm not familiar with, thank heaven."

An honorable and dedicated public servant who would not dream of distorting intelligence for political or budgetary purposes, Gates quite

obviously believed, as President Eisenhower said in his press conference on January 26: "We have better estimates than we have in the past in the field." Allen W. Dulles, director of the Central Intelligence Agency, attempted to come to the rescue a few days later in an address before the Institute of Aeronautical Sciences in New York, saying: "In our estimates we generally stress capabilities in the early stages of Soviet weapons development and then, as more hard facts are available, we estimate their probable programming, sometimes referred to as intentions." But Gates is not yet off the hook. The President remarked in his press conference: "I think Mr. Gates will find ways of clarifying exactly what he had—what he meant." He should certainly be given every chance to do so.



## Britain Looks at Its Schools

ALASTAIR BUCHAN

CPYRGHT

**I**N MANY RESPECTS the postwar years have been for Britain what the New Deal years were for the United States: a period of rapid social change and of the extension of governmental responsibility, of argument and introspection at home, and of a changing position abroad. The pattern of British life today, in everything from the demise of servants for the middle class to the spread of supermarkets, household gadgets, and traffic jams, resembles the American to a degree that no one could have foreseen even ten years ago. And this remarkable transformation in the nature of an old and complex society has been accomplished as much by the Conservative governments of the 1950's as by the Labour government of the immediate postwar years.

Britain's New Deal has gone fast and far, but it has made much less

headway in the field of education than in any other. To many thoughtful people this seems the reason why Britain, for all its prosperity, is now a less dynamic society than America or even some European countries. Therefore it is not surprising that a new official report on education called *15 to 18*, compiled under the chairmanship of Sir Geoffrey Crowther, the former editor of the *Economist*, has become almost a best-seller.

This is not to say that no reform of British education has been attempted in the postwar years, for the degrees of activity and of change have been very marked. At the universities roughly eighty per cent of the students now come from the national education system (i.e., from the state-maintained grammar schools), and only about twenty per cent from the "public" (i.e., private)